

AMENDED #1 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, January 11, 2012

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	
	Review of Rules	Dennis Stevenson
	PLEASE BRING COMPUTERS FOR RULES REVIEW	

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

Kimra Burger
Room: EW06
Phone: (208) 332-1149
email: kburger@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, January 11, 2012
TIME: 1:30 P.M.
PLACE: Room EW05
MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King
**ABSENT/
EXCUSED:** Representative Thayn
GUESTS: Bev Barr, Idaho Health & Welfare; Kellie MacClellan, Mary Ganthier, Nan Jones, Heather Hert, Victoria Johnson, Laure Hershman, IHSA/ICAP Head Start; Dennis Stevenson, Administrative Rules Officer.

Chairman Block brought the meeting to order at 1:33 p.m.

Subcommittees were formed and the rules given to subcommittees for review. Controversial rules will be discussed in the full committee. Subcommittees will report back to the full committee by January 25. Full committee will address issues after subcommittee work is finished. February 3rd is the deadline for rules review.

Dennis Stevenson, Department of Administration, Administrative Rules Office, gave a presentation of rules review. Following the presentation, he demonstrated how to find the rules online from the legislative home page. Links to these rules will be made available on the online version of the agenda.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:51 p.m.

Representative Block
Chair

Kimra Burger, Secretary
Signed by Jeanne' Clayton for
Kimra Burger

AGENDA
**HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
MARRIOTT SUBCOMMITTEE**

Rules Review

1:30 P.M.

Room EW20

Tuesday, January 17, 2012

DOCKET NO.	DESCRIPTION	PRESENTER
<u>16-0301-1003</u>	Eligibility for Health Care Assistance for Families & Children	Erica Feider
<u>16-0303-1001</u>	Rules Governing Child Support Assistance	Erica Feider
<u>16-0304-1004</u>	Rules Governing the Food Stamp Program in Idaho	Erica Feider
<u>16-0305-1003</u>	Rules Governing Eligibility for Aid to the Aged, Blind & Disabled	Erica Feider
<u>16-0308-1002</u>	Rules Governing Temporary Assistance for Families in Idaho	Erica Feider
<u>16-0612-1003</u>	Rules Governing the Idaho Child Care Program	Erica Feider
<u>16-0301-1101</u>	Eligibility for Health Care Assistance for Families & Children	Shannon Epperley
<u>16-0305-1102</u>	Rules Governing Eligibility for Aid to the Aged, Blind & Disabled	Shannon Epperley
<u>16-0414-1101</u>	Rules Governing Low Income Home Energy Assistance Program	Genie Weppner
<u>16-0304-1101</u>	Rules Governing the Food Stamp Program in Idaho	Malinda Jones
<u>16-0308-1101</u>	Rules Governing the Temporary Assistance for Families in Idaho	Rosie Andueza

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Marriott

Rep.Thayn

Rep.Nesset

Rep.King

COMMITTEE SECRETARY

Jeanne Clayton

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
MARRIOTT SUBCOMMITTEE
Rules Review

DATE: Tuesday, January 17, 2012

TIME: 1:30 P.M.

PLACE: Room EW20

MEMBERS: Chairman Marriott, Representative(s) Thayn, Nasset, King

**ABSENT/
EXCUSED:** None

GUESTS: Shannon Epperley, Callie King, Kathy McGill, Erica Feider, Matt Clark, Bev Barr, Malinda Jones, Kim Jensen, Garland Draper, Genie Sue Weppner and Martha Garcia, Department of Health & Welfare; Lancus Rossi and Christine Tiddens, Catholic Charities; DeLanie Valentine, Easter Seals - Goodwill; Dennis Stevenson, Department of Administration Rules Coordinator; Dustin Hurst, Idaho Reporter.com

Chairman Marriott called the meeting to order at 1:34 p.m.

DOCKET NOS.
16-0301-1003
16-0303-1001
16-0304-1004
16-0305-1003
16-0308-1002
16-0612-1003: **Ms. Erica Feider**, Department of Health and Welfare, presented **Docket Numbers 16-0301-1003, 16-0303-1001, 16-0304-1004, 16-0305-1003, 16-0308-1002, and 16-0612-1003** allowing for electronic and telephonic signatures. This proposed rule was approved during the last Legislative session. In response to concern and questions from the committee, Ms. Feider explained that the process of electronic signatures is more secure than physical document retention and is subject to the same paper security standards with which the Department of Health and Welfare complies. This process allows acknowledgement and verification of client(s) identity and is similar to filing taxes online. Ms. Feider asked for final approval of this rule, which improves business efficiencies and customer service outcomes, and enhances the integrity to the eligibility and application process by having an electronic record of information and requested services.

MOTION: **Rep. King** made a motion to recommend approval of **Docket Numbers 16-0301-1003, 16-0303-1001, 16-0304-1004, 16-0305-1003, 16-0308-1002 and 16-0612-1003** to the full committee. **Motion carried by voice vote.**

DOCKET NO.
16-0301-1101: **Ms. Shannon Epperly**, Department of Health and Welfare, presented **Docket No. 16-0301-1101**, which will codify long-standing policy and add clarification for the department's staff and the public. The first change would add the option of using a standard 50% deduction for self-employment expenses when calculating net self-employment income. This proposed change would align the rule language with that of the state plan and would align Medicaid rules with those of other benefit programs. The second change would specifically list Veteran's Education Benefits among the types of educational income that are excluded from countable income for Medicaid. This rule change will ensure that Veterans pursuing higher education are not unduly penalized for funds they receive for their education expenses. After clarifying questions from the committee regarding eligibility levels, capital gains, and gross income, Ms. Epperly asked the committee to approve these proposed rule changes to avoid further confusion.

MOTION: **Rep. Thayn** made a motion to recommend approval of **Docket No. 16-0301-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0305-1102: **Ms. Shannon Epperly**, Department of Health and Welfare, presented **Docket No. 16-0305-1102**, which relates to calculating countable income for Aid to the Aged, Blind and Disabled (AABD) eligibility determinations. Ms. Epperly explained that these are the same rules as **Docket No. 16-0301-1101** and adding the two options to the eligibility rules for the AABD program would streamline the application process and increase efficiency for department staff.

MOTION: **Rep. King** made a motion to recommend approval of **Docket No. 16-0305-1102** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0414-1101: **Ms. Genie Sue Weppner**, Department of Health and Welfare, presented **Docket No. 16-0414-01101**, which outlines three changes to the Low Income Home Energy Assistance Program (LIHEAP): (1) Change the LIHEAP income limit based on percent of median income to being based on percent of Federal Poverty Level (FPL). This will align the program with the other benefits programs, which are also based on FPL and will make it less confusing for applicants and the staff. (2) Align Idaho rule with federal statute by including households that receive Food Stamps and SSI as eligible for LIHEAP. Removing the additional verification steps from the LIHEAP interview will make it possible for the community action staff to process the increasing numbers of applicants in a timely manner. (3) Enhance the section of Idaho LIHEAP rule for dealing with vendor fraud, specifically adding remedies that the Department of Health and Welfare can pursue when a LIHEAP vendor knowingly falsifies documentation in order to receive a payment.

After questions from the subcommittee regarding eligibility requirements, median income, fewer funds coming to the state and with more people filing, energy assistance funds, and the benefits determination formula, **Ms. Weppner** remarked that these rules will allow the Department of Health and Welfare to have the necessary and proper steps in place with their due diligence process. She also reassured the committee that the Department has a fraud investigative unit and that they have not seen a lot of fraud in the Energy Assistance Program with vendors colluding with applicants.

MOTION: **Rep. King** made a motion to recommend approval of **Docket No. 16-0414-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0304-1101: **Ms. Malinda Jones**, Department of Health and Welfare, presented **Docket No. 16-0304-1101**, which outlines five changes to the Food Stamp Program, to support the department's continuing efforts to "do more with less."

The first change would waive the interview requirement for the food stamp six-month recertification. This change would bring Idaho in line with the federal policy which requires an interview once every 12 months for ongoing cases. **Ms. Jones** stated that while the six-month interview may be waived, the department still requires application and verification of all elements of eligibility prior to the continuation of benefits.

The second change will allow the department to notify food stamp recipients via email and other technology-based methods. This will expand options rather than relying on the postal service and will allow the department to more quickly and efficiently notify participants.

The third change is specific to the eligibility determination process. This rule changes how work hours are calculated for post-secondary students. A change to the department's internal process by computing work hours at 80 hours per month rather than 20 hours per week (does not reduce work requirements for students) will allow for a less burdensome calculation of eligibility for workers and more flexibility for students in scheduling their work hours.

The fourth change contains a rule which exempts pregnant women from participating in the work and training program while in their third trimester of pregnancy. This population of women will still be eligible to volunteer for participation in the work and training program.

The fifth and final rule change is intended to prohibit children from receiving a caretaker relative cash assistance grant at the same time they are receiving food stamps in a different household. This will prevent developing scenarios that involve grandparents or other relatives.

The committee had questions regarding the average payment per person - per month, certain types of income that are excluded by federal law when determining eligibility for food stamps, a pending rule instituted several months ago, and how long people remain on benefits. **Ms. Jones** responded that the department has not seen a significant increase or decrease in the time a household remains on benefits, but they have seen it reduce the number of cases that fail to recertify and then reapply at a later date.

MOTION: **Rep. Thayne** made a motion to recommend approval of **Docket No. 16-0304-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0308-1101: **Ms. Rosie Andueza**, Department of Health and Welfare, presented **Docket No. 16-0308-1101**, Temporary Assistance for Families in Idaho (TAFI) program, which places more emphasis on family accountability. The definition of household composition includes step-parents, thus requiring step-parents to participate in the work services program when applying for or receiving TAFI cash assistance. This rule change will also allow the department to pursue overpayments in all situations where a family has incorrectly received TAFI benefits. Ms. Andueza stated that these rule changes will increase a family's accountability by including step-parents in the household unit and thus the work program, and by collecting overpayments in all situations, not just those resulting from fraudulent activity by the family.

MOTION: **Rep. King** made a motion to recommend approval of **Docket No. 16-0308-1101** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the subcommittee, the meeting adjourned at 2:40 p.m.

Representative Jim Marriott
Chair

Martha de Simon
Secretary

**AMENDED #1 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
SIMPSON SUBCOMMITTEE**

Rules Review

1:30 P.M.

Room EW05

Tuesday, January 17, 2012

DOCKET NO.	DESCRIPTION	PRESENTER
09-0130-1101	Unemployment Insurance Benefits Administration Rules	Bob Fick
09-0135-1101	Unemployment Insurance Tax Administration Rules	Bob Fick
15-0202-1101	Commission for the Blind & Visually Impaired-Vocational Rehabilitation Services	
15-0401-1101	Rules of the Division of Human Resources & Idaho Personnel Commission	Michael Savoie
21-0107-1101	Rules for Education & Training Programs for Veterans	Phil Wickleff
38-0301-1101	Rules Governing Group Insurance	Teresa Luna
16-0601-1101	Child and Family Services	Kathy Morris
16-0601-1102	Child and Family Services (fee rule)	Stephanie Miller

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Simpson

Rep. Hartgen

Rep. Ringo

Rep. Block

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
SIMPSON SUBCOMMITTEE
Rules Review

DATE: Tuesday, January 17, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Simpson, Representatives Block, Hartgen, Ringo

**ABSENT/
EXCUSED:**

GUESTS: Phil Wickleff, Income Eligibility Verification System (IEVS); Donna Weast, Michael Savoie, Idaho Division of Human Resources (DHS); Bruce Christenson, Greg Metsker, Idaho Commission for the Blind and Visually Impaired (ICBVI); Tamara Mackenthun, Stephanie Miller, Mirea Unsworth, Kathrun Morris, Shirley Alexander, Nancy Egan, Cindy Hedge, Frank Powell, Robert Unce, Idaho Department of Health & Welfare (IDHW); Bob Fick, Department of Labor (DOL); Ed Hawley, Administrative Rules

Chairman Simpson called the meeting to order at 1:29 p.m.

DOCKET NO. 09-0130-1101: **Mr. Bob Fick**, Idaho Department of Labor (DOL), presented **Docket No. 09-0130-1101**, which imposes new restrictions on eligibility for unemployment insurance. This rule defines a corporate officer and the circumstances in which one might be eligible for unemployment insurance. IDAPA 09-0130-375 will be amended to limit eligibility of a corporate officer for unemployment insurance benefits. The rule also authorizes the use of facsimile and e-mail transmissions for claimants in approved training for out-of-state reporting of their weekly or biweekly claims. Currently transmissions are allowed only by mail, which delays benefit payments as long as a week.

Mr. Fick testified that the insurance was never to provide insurance for seasonal businesses for bridging the slow periods. Seasonal businesses need to learn to bridge slow periods in operations. Everyone was notified of rule changes in July, statements were sent to media about rule changes.

MOTION: **Representative Ringo** made a motion to recommend approval of **Docket No. 09-0130-1101** to the full committee. **Motion passed by voice vote.**

DOCKET NO. 09-0135-1101: **Mr. Fick** presented **Docket No. 09-0135-1101**, which amends IDAPA 09-01-35 to allow a corporation to exempt its corporate officers from unemployment insurance coverage. Corporations will not have to pay employment security contributions for exempt corporate officers, and exempt corporate officers would not be eligible for unemployment insurance benefits. This rule brings the department into compliance with deadlines in amendments to federal programs.

Representative Hartgen asked if there was any review for extenuating circumstances. **Mr. Fick** said that the computer system currently in use by the department, does not allow tracking of the 34,000 claimants in the state, should they all claim at different allotted times. Cases of new businesses have been discussed; however, any changes would be done by statute rather than rule change.

MOTION: **Representative Ringo** made a motion to recommend approval of **Docket No. 09-0135-1101** to the full committee. **Motion passed by voice vote.**

DOCKET NO. 15-0202-1101: **Mr. Greg Metsker**, Idaho Commission for the Blind and Visually Impaired (ICBVI), presented **Docket No. 15-0202-1101**. This rule is a result of a federal review, which took place in the spring of 2010. The rule makes the application process for Vocational Rehabilitation services more accessible. The policy changes will put ICBVI in compliance with 34 CFR 361.41(a), 34 CFR 361.41(b)(2), and 34 CFR 361.54 (b)(3)(ii). The rule also increased the maintenance funds to help with training-related expenses from \$1,503 to \$3,000 per federal fiscal year, with no more than \$500 per month. These maximum expenses also apply to room-and-board and rent for post secondary education.

Representative Hartgen asked if the maintenance money is paid from state or federal funds. **Mr. Metsker** said the money is paid out of federal Vocational Rehabilitation funds, and that it is based on cost-of-living rather than federal statute.

MOTION: **Representative Block** made a motion to recommend approval of **Docket No. 15-0202-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 15-0401-1101: **Mr. Michael Savoie**, Idaho Division of Human Resources, presented **Docket No. 15-0401-1101**. This rule reflects the expansion of disabled Veteran's preference, which requires the Veteran be granted an interview when their name appears in the top 25 of a hiring list, rather than the top 10 as was previously done. This brings the rule into compliance with Title 65 Chapter 5, which was changed during the 2011 legislature. The rule also distinguishes time served in temporary assignments and would apply toward entrance probation, and acting appointment service would apply toward promotional probation.

MOTION: **Representative Hartgen** made a motion to recommend approval of **Docket No. 15-0401-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 21-0107-1101: **Mr. Phil Wickleff**, Idaho Division of Veteran's Services (IDVS), presented **Docket No. 21-0107-1101**. In 2009, the Veteran's Education Program was transferred to the Division of Veteran's Services, but the rules governing the program stayed in the rules of the State Board of Education. This revision corrects the error. .

MOTION: **Representative Block** made a motion to recommend approval of **Docket No. 21-0107-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0601-1101: **Ms. Kathy Morris**, Idaho Department of Health and Welfare, presented **Docket No. 16-0601-1101**. This rule contains clarification with regard to compliance with the federal Indian Child Welfare Act and applies specifically to the removal of Indian children living off a reservation. The proposed change in language is found in Sections .050 and .05.

Representative Hartgen asked about the change in languages, which appears to be more broad regarding customs. **Ms. Morris** replied that the volume of language is reduced for purposes of definition. **Representative Hartgen** asked why a new definition of "reservation" is necessary. **Ms. Morris** replied that the change put the definition in understandable language and also to brought it up to U. S. Code.

Representative Simpson asked whether the language is consistent with the language found in federal regulations and if the change in definition of reservation will require changing the definition in other rules. **Ms. Morris** replied that the definition is the most consistent with the language in federal regulations; she was not aware of any issues regarding the change.

Representative Hartgen asked if it is always the case that the child's tribe contact is followed or if there are cases where it is not in the best interests of the child. **Ms. Morris** replied that it is taken on a case-by-case basis. She also said that if an Indian child is in foster care, all efforts should be made to unify the child with their tribe.

- MOTION:** **Representative Ringo** made a motion to recommend approval of **16-0601-1101** to the full committee. **Motion carried by voice vote.**
- DOCKET NO. 38-0301-1101:** **Ms. Teresa Luna**, Department of Administration, presented **Docket No. 38-0301-1101**, relating to group insurance, which changes the definition of eligible dependents for both active and retired employees. The state must expand the coverage up to age 26, regardless of dependent status, unless the dependent has coverage through their own employer. The rule also eliminates language in 05.c and 06.c, as it is no longer necessary to define the word "dependent" and clarifies when a child would lose coverage. The rule also addresses Medicare prescription drug costs and states that any eligible retiree or spouse may petition the director for reimbursement of prescription costs up to \$2,000.00 per calendar year, per Medicare-eligible retiree and per Medicare-eligible dependent spouse, through December 31, 2013.
- MOTION:** **Representative Hartgen** made a motion to recommend approval of **Docket No. 38-0301-1101** to the full committee with the exception that sub-paragraph 040 02.a, only, be rejected. **Motion carried by voice vote.**
- DOCKET NO. 16-0601-1102:** **Ms. Stephanie Miller**, Idaho Department of Health and Welfare, presented **Docket No. 16-0601-1102**, which will (1) improve the quality of adoption services in Idaho, (2) increase the requirements for certification as an adoption professional, (3) clarify the minimum standards of service, (4) specify the consequences for failing to provide the minimum standard of service, require Certified Adoption Professionals be covered by malpractice insurance, and (5) specify the responsibilities of the Department and the Certified Adoption Professional to one another. The rule implements an application fee for Certified Adoption Professionals, which will be used to help offset the expense of providing the increased level of supervision necessary to support the program.
- Representative Block** asked about language in Section 762.02 referring to employment and religion. **Ms. Miller** replied that if an adoptive family is able to support a child financially and emotionally they are considered viable by the agency. The concern of religion is used by social workers looking to place a child into that home. Employment is used to determine if a family has the financial resources to support an additional child. **Representative Block** stated that in Section 800.01 there is a preference priority and asked if this rule is consistent with the Child Protection Act. **Ms. Miller** said that it was.
- Representative Simpson** asked **Ms. Miller** who represented the stakeholder group in coming up with these proposed rule changes. **Ms. Miller** said that stakeholders, such as LDS Social Services, Idaho Youth Ranch, A New Beginning, and other organizations, were also invited to participate from Northern and South Central Idaho. **Representative Simpson** asked if religious preference is used as an exclusionary measure. **Ms. Miller** said that it is not.
- Representative Ringo** asked if outpatient counseling and a medical statement is required to ensure the stability of adoptive parents. **Ms. Miller** said the rule allows a department employee to ask prospective adoptive parents to release background information to ensure a stable environment.
- MOTION:** **Representative Block** made a motion to recommend approval of **Docket No. 16-0601-1102** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the subcommittee, the meeting was adjourned at 2:35 p.m.

Representative Erik Simpson
Chair

Martha de Simon
Secretary

AMENDED #2 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, January 19, 2012

SUBJECT	DESCRIPTION	PRESENTER
Docket Nos.:	Subcommittee Meeting Report on Rules, Representative Simpson, Chairman 09-0130-1101 , 09-0135-1101 , 15-0202-1101 , 15-0401-1101 , 21-0107-1101 , 38-0301-1101 , 16-0601-1101 , 16-0601-1102	Representative Simpson
Docket Nos.:	Subcommittee Meeting Report on Rules, Representative Marriott, Chairman 06-0301-1003 , 16-0303-1101 , 16-0304-1004 , 16-0305-1003 , 16-0308-1002 , 16-0612-1003 , 16-0301-1101 , 16-0305-1102 , 16-0414-1101 , 16-0304-1101 , 16-0308-1101	Representative Marriott
RS20807	Peace Officer Temporary Disability Act	Colonel Russell-I.S.P.
45-0101-1102	Rules of the Idaho Human Rights Commission	Jeanne Goodenough
16-0504-1101	Rules of the Idaho Council on Domestic Violence & Victim Assistance Grant	Sally Alvarado

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, January 19, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Rep. Loertscher

GUESTS: Col. Jerry Russell, Idaho State Police; Jeanne Goodenough, Human Rights Commission; Woody Richards, Attorney and Lobbyist; Sally Alvarado, Rosie Andueza, M. Jones, Stephanie Miller, Callie King, Erica Feider, Alberto Gonzales, Kathy McGill, Idaho Department of Health and Welfare; Jane McClaran, Nancy Beeson, Mindy Montgomery, Lindsay Egbert, Tom Limbaugh, Industrial Commission; Brad Hunt, Office of Adult Residential Care; Tony Poinelli, Idaho Association of Counties.

Chairman Block called the meeting to order at 1:30 p.m.

MOTION: **Rep. Ringo** made a motion to approve the minutes of the January 11, 2012 meeting. **Motion carried by unanimous voice vote.**

Chairman Block asked **Rep. Simpson**, Chairman of the Rules subcommittee on the Idaho Human Rights Commission, to report on the outcome of his subcommittee's rules review.

DOCKET NO. 09-0130-1101; **Rep. Simpson** presented the rule change to **Docket No. 09-0130-1101**, which imposes new restrictions on eligibility for unemployment insurance and **Docket NO. 09-0135-1101;** **No. 09-0135-1101**, which allows a corporation to exempt its corporate officers from unemployment insurance coverage.

MOTION: **Rep. Ringo** made a motion to approve **Docket Nos. 09-0130-1101 and 09-0135-1101. Motion carried by voice vote.**

DOCKET NO. 15-0202-1101; **Rep. Simpson** presented **Docket No. 15-0202-1101**, which makes the application process for Vocational Rehabilitation services more accessible.

MOTION: **Rep. Hartgen** made a motion to approve **Docket No. 15-0202-1101. Motion carried by voice vote.**

DOCKET NO. 15-0401-1101; **Rep. Simpson** presented **Docket No. 15-0401-1101**, which reflects the expansion of veterans preference for disabled veterans and would allow their names to appear in the top 25 of a hiring post.

MOTION: **Rep. Hartgen** made a motion to approve **Docket No. 15-0401-1101. Motion carried by voice vote.**

DOCKET NO. 21-0107-1101; **Rep. Simpson** presented **Docket No. 21-0107-1101**, which transfers the rule from the State Board of Education to the Veteran's Education Program.

MOTION: **Rep. Ringo** made a motion to approve **Docket No. 21-0107-1101. Motion carried by voice vote.**

DOCKET NO. 16-0601-1101; **Rep. Simpson** presented **Docket No. 16-0601-1101**. It clarifies the rule regarding compliance with the federal Indian Child Welfare Act, which applies only to Indian children living off the reservation.

MOTION: **Rep. Hartgen** made a motion to approve **Docket No. 16-0601-1101. Motion carried by voice vote.**

DOCKET NO. 38-0301-1101: **Rep. Simpson** presented **Docket No. 38-0301-1101**, which relates to changes involving group insurance of eligible dependents for both active and retired employees. The state must expand the coverage up to age 26 regardless of dependent status unless the dependent has coverage through their own employer. Subcommittee member **Rep. Hartgen** had moved to reject subparagraph 040.02.a, page 152.

MOTION: **Rep. Hartgen** made a motion to approve **Docket No. 38-0301-1101** with the exception of subparagraph 040.02.a, only, page 152, which is to be rejected. **Motion carried by voice vote.**

MOTION: **Rep. Hartgen** made a motion to draft a concurrent resolution to reflect the action of the previous motion. **Motion carried by voice vote.**

DOCKET NO. 16-0601-1102: **Rep. Simpson** presented **Docket No. 16-0601-1102**, which reflects changes to improve the quality of adoption services in Idaho. It clarifies minimum standards for certified adoption specialists and implements an application fee for certified adoption professionals for use to help offset the expense of providing the increased level of supervision necessary to support the program.

MOTION: **Rep. Ringo** made a motion to approve **Docket No. 16-0601-1102. Motion carried by voice vote.**

Rep. Simpson turned the gavel over to Chairman Block.

Chairman Block called on **Representative Marriott**, Chairman of Rules Review Subcommittee for Department of Health and Welfare, for a report on his subcommittee's rules review.

DOCKET NOS. 16-0301-1003, 16-0303-1101, 16-0304-1004, 16-0305-1003, 16-0308-1002, 16-0612-1003: **Rep. Marriott** reported that 11 of the Subcommittee's assigned rules encompassed the same changes having to do with improving the process for electronic and telephonic signatures. The process of electronic signatures was reported to be better than physical document retention as it allows acknowledgement and verification of client(s) identity and is similar to filing taxes online.

MOTION: **Rep. Marriott** made a motion to approve **Docket Nos. 16-0301-1003, 16-0303-1101, 16-0304-1004, 16-0305-1003, 16-0308-1002, 16-0612-1003. Motion carried by voice vote.**

DOCKET NO. 16-0301-1101: **Rep. Marriott** presented **Docket No. 16-0301-1101**. This rule change would add the option of using a standard 50% deduction for self-employment expenses when calculating net self-employment income. The second change would list Veterans' Education Benefits among the types of educational income excluded from countable income for Medicaid.

MOTION: **Rep. Marriott** made a motion to approve **Docket No. 16-0301-1101. Motion carried by voice vote.**

DOCKET NO. 16-0305-1102: **Rep. Marriott** presented **Docket No. 16-0305-1102**. This rule change relates to calculating countable income for Aid of the Aged, Blind and Disabled (AABD) and are the same rules as those that apply to **Docket No. 16-0301-1101**.

MOTION: **Rep. Marriott** made a motion to approve **Docket 16-0305-1102. Motion carried by voice vote.**

DOCKET NO. 16-0414-1101: **Rep. Marriott** presented **Docket No. 16-0414-1101**. The changes relate to the Low Income Home Energy Assistance Program based on percent of Federal Poverty Level, which includes households that receive food stamps and SSI as eligible for LIHEAP. The rule removes the additional verification steps to process the increasing number of applicants in a timely manner and deals with vendor fraud when a LIHEAP vendor knowingly falsifies documentation in order to receive payment.

MOTION: **Rep. Marriott** made a motion to approve **Docket 16-0414-1101**. **Motion carried by voice vote.**

DOCKET NO. 16-0304-1101: **Rep. Marriott** presented **Docket No. 16-0304-1101**. Five changes to the Food Stamp program are proposed: (1) waive interview requirement for the food stamp six-month recertification to bring in line with federal policy, which requires an interview once every 12 months for an ongoing case; (2) allow the Department to notify food stamp recipients via email and other technology-based methods; (3) revise how work hours are calculated for postsecondary students, computing work hours at 80 hours per month rather than 20 hours per week; (4) exempt pregnant women from participating in the work and training program while in their third trimester of pregnancy; (5) prohibit children from receiving a caretaker relative cash assistance grant concurrent with receiving food stamps in a different household

MOTION: **Rep. Marriott** made a motion to approve **Docket No. 16-0304-1101**. **Motion carried by voice vote.**

DOCKET NO. 16-0308-1101: **Rep. Marriott** presented **Docket No. 16-0308-1101**. There are two rule changes in the Temporary Assistance for Families in Idaho program, which defines a household composition of step-parents and allows the department to pursue overpayments in all situations where a family has incorrectly received TAFI benefits.

MOTION: **Rep. Marriott** made a motion to approve **Docket No. 16-0308-1101**. **Motion carried by voice vote.**

RS 20807: **Col. Jerry Russell, Idaho State Police**, presented **RS 20807**, which relates to the Temporary Disability Act. He called for questions and comments, and after a thorough question-and-answer period, the committee decided the language needed more specificity to avoid confusion as to who qualifies.

MOTION: **Rep. Simpson** made a motion to return **RS 20807** to the author for additional specificity in the language. **Motion carried on voice vote.**

DOCKET NO. 45-0101-1102: **Ms. Jeanne Goodenough**, Human Rights Commission, presented **Docket No. 45-0101-1102**, which allows complaints to be filed by email.

MOTION: **Rep. King** made a motion to approve **Docket No. 45-0101-1102**. **Motion carried by voice vote.**

DOCKET NO. 16-0504-1101: **Ms. Sally Alvarado**, Idaho Council on Domestic Violence, presented **Docket No. 16-0504-1101**, which would allow for state-approved offender intervention programs to implement interventions while specifically stating that the intervention shall not include couples/conjoint treatments. Ms. Alvarado answered questions from committee members.

MOTION: **Rep. Thayne** made a motion to approve **Docket No. 16-0504-1101**. **Motion carried on voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:30 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AMENDED #1 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, January 23, 2012

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO. 16-0612-1201	Rules Governing the Idaho Child Care Program (ICCP)	Genie Sue Weppner, Idaho Dept. of H&W
DOCKET NO. 16-0602-1101	Rules Governing Standards for Child Care Licensing (Fee Rule)	Valerie Burgess, Idaho Dept. of H&W

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, January 23, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Rep. Simpson

GUESTS: Valerie Burgess, Cameron Gilliland, Bev Barr, Genie Sue Weppner, Russ Barron, Alberto Gonzalez, Department of Health & Welfare; Landis Rossi, Christine Tiddens, Catholic Charities; LoAnn Simmons, Idaho Voices for Children; Eldon Wallace, representing himself; Kathalina Berrichoa, Beth Oppenheimer, Idaho Association for the Education of Young Children (AEYA).

Chairman Block called the meeting to order at 1:35 p.m.

MOTION: **Representative Ringo** made a motion to approve the January 17, 2012 minutes of the Simpson Rules Subcommittee. **Motion passed by voice vote of subcommittee members.**

MOTION: **Representative Thayn** made a motion to approve the January 17, 2012 minutes of the Marriott Rules Subcommittee. **Motion passed by voice vote of subcommittee members.**

DOCKET NO. 16-0612-1201: **Ms. Genie Sue Weppner**, Program Manager of the Department of Health and Welfare, reviewed the temporary rule changes outlined in **Docket No. 16-0612-1201**. The Idaho Child Care Program (ICCP) provides child care subsidies for low-income families working or going to school. The rule aligns ICCP rules with other work support programs, such as food stamps and Medicaid and simplifies the calculation of activity hours of full-time and part-time care. These changes are 100% federally funded. The rule also supports families participating in work activities and self-sufficiency programs that are supported by federal funds.

The committee posed extensive questions to **Ms. Weppner** relative to growth rates, costs, comments by parents and providers, and other issues of concern to committee members.

Landis Bossi, Executive Director of Catholic Charities, spoke in **support** of the rule.

MOTION: **Representative King** made a motion to approve **Docket No. 16-0612-1201**. **Motion carried by voice vote.**

DOCKET NO. 16-0602-1101: **Ms. Valerie Burgess**, Program Supervisor for the Department of Health and Welfare in the Division of Family and Community Services presented **Docket No. 16-0602-1101**. Statute mandated by the Legislature required revision of the temporary rules governing Idaho Child Care Standards. These changes impact child/staff ratios, licensing fees, and local options for licensure.

A question-and-answer period ensued relating to cost ratios between federal and state funds.

MOTION: **Representative Ringo** made a motion to approve **Docket No. 16-0602-1101**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:20 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, January 25, 2012

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO. 17-0209-1102	Medical Fees	Patti Vaughn, Schedule Analyst, Idaho Industrial Commission
DOCKET NO. 17-0211-1101	Rules Governing Security for Compensation, Self-Insured Employers	Jane McClaran, Fiscal Officer, Idaho Industrial Commission
RS20971	Relates to travel and subsistence expense reimbursement when determining "Salary" for PERSI benefits.	Rep. Lake
PRESENTATION	Division of Human Resources Update	Vicki Tokita, Administrator, Division of Human Resources

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, January 25, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative Trail

GUESTS: R. P. Maynard, Tom Limbaugh, Jane McClaran, Mindy Montgomery, Patti Vaughn, Lindsay Egbert, Idaho Industrial Commission; Dustin Kuck, Joe Webber, Michael Savoie, Karen Thiel, Donna Weast, Melody Rose, Chris Eismann, Kathy Osborn, Lee McCormick, Division of Human Resources; Brad Wills, BuildIdaho.org; Mitch Coffman, State Government Reporter; Dustin Hurst, IdahoReporter.com; Brandon Woolf, Idaho State Controller

Chairman Block called the meeting to order at 1:32 p.m.

DOCKET NO. 17-0209-1102: **Ms. Patti Vaughn**, Medical Fee Schedule Analyst, Idaho Industrial Commission presented **Docket No. 17-0209-1102**, which relates to the annual adjustment of medical reimbursement for workers' compensation medical services. Ms. Vaughn summarized changes to the conversion factors and pointed out a technical language correction.

A thorough question-and-answer period ensued regarding conversion factors, co-payment adjustments, fees and fee schedules.

MOTION: **Rep. Hartgen** made a motion to approve **Docket No. 17-0209-1102. Motion carried by voice vote.**

DOCKET NO. 17-0211-1101: **Ms. Jane McClaran**, Financial Officer, Idaho Industrial Commission, presented **Docket No. 17-0211-1101**, which relates to security requirements to ensure the protection of injured workers in the event of insolvency of a self-insured employer. The Commission focused its efforts during the past year on refining requirements for self-insured employers and conducted negotiated rulemaking through a subcommittee of the Commission's Advisory Committee.

Ms. McClaran summarized the changes, which include: expanding qualification requirements, providing more flexibility relating to security deposits, and providing improved accountability in reporting. Ms. McClaran thanked Committee member, **Rep. Nessel**, for his participation and contribution as a member of the Commission's Advisory Committee.

Committee members asked questions relating to patient compensation, additional workload and costs, number of self-insured counties (27 counties are self-insured), and national standards compared to Idaho.

Mr. Tom Limbaugh, Idaho Industrial Commission, took the podium to answer specific questions on standards of Idaho's self-insured employers compared to the national average.

MOTION: **Rep. King** made a motion to approve **Docket No. 17-0211-1101. Motion carried by voice vote.**

RS 20971: **Rep. Lake** presented **RS 20971**, which excludes travel and subsistence expense reimbursement when determining "Salary" for PERSI benefits. There is no fiscal impact to the General Fund.

Committee members pursued questions concerning the specific expenses that would be excluded.

MOTION: **Rep. Loertscher** made a motion to introduce **RS 20971**. **Motion carried by voice vote.**

Ms. Vicki Tokita, Administrator, Division of Human Resources, introduced her staff to the committee and presented a detailed PowerPoint report on: status of employee compensation, salary surveys, enhanced data compilation methods for employee turnover, change in employee compensation, and the new salary survey system called I-Perform, developed in partnership with the State Controller's office.

Mr. Brandon Woolf, Idaho State Deputy Controller, took the podium to speak to the specifics of the new I-Perform system, which was developed by using existing data from the I-Time system. **Ms. Kathy Osborn**, Division of Human Resources, demonstrated I-Perform via PowerPoint.

Ms. Tokita stressed that I-Perform is a tool only, and that conversation between supervisor and employee is most essential.

Committee members asked about confidentiality issues, accessibility by former employees, and cost to the agencies (\$850, with a fee of \$25 to single users, such as attorneys or human resource staff).

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:10 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, January 31, 2012

SUBJECT	DESCRIPTION	PRESENTER
RS21044	To allow Department of Administration to create Health Savings Accounts	Rep. Thayn
H 418	Excludes travel and subsistence expense reimbursement when determining "salary" for PERSI benefits.	Rep. Lake
Presentation	Veterans' Services Update	Tamara Mackenthun, Administrative Support Manager, Veterans' Services

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, January 31, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** None.

GUESTS: Tamara Mackenthun, Idaho Division of Veterans Services; M. Alex Neiwirth and Daniel Wolf, Idaho Association of Government Employees; Michael Savoie, Department of Human Resources; David Hahn, Idaho Division of Financial Management; Todd Rains, Senate Intern; Dustin Hurst, Idaho Reporter.com; Cheri Campbell and Kimberlee Hall, citizens.

Chairman Block called the meeting to order at 1:36 p.m.

MOTION: **Representative Thayn** made a motion to approve the minutes of the January 19, 2012 meeting. **Motion carried by voice vote.**

MOTION: **Representative Ringo** made a motion to approve the minutes of the January 23, 2012 meeting. **Motion carried by voice vote.**

RS 21044: **Representative Thayn** presented **RS 21044**, which would allow the Department of Administration to create Health Savings Accounts for state officials and employees and their dependents who voluntarily choose to participate in a high deductible health plan. Rep. Thayn answered questions posed by committee members concerning tax deductions, costs, prior agency recommendation, and language modification.

ORIGINAL MOTION: **Representative Marriott** made a motion to approve **RS 21044**.

SUBSTITUTE MOTION: **Representative Lake** made a substitute motion to return **RS 21044** to the sponsor for inclusion of more detail as to the mechanics of the proposed legislation. **Motion carried by voice vote.**

H 418: **Representative Lake** presented **H 418**, which excludes travel and subsistence expense reimbursement when determining "Salary" for PERSI benefits.

MOTION: **Representative Marriott** made a motion to send **H 418** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Representative Lake** will sponsor the bill on the floor.

Ms. Tamara Mackenthun, Administrative Support Manager, Division of Veterans Services, presented an update on the wide range of Veterans services and advocacy, which include assistance with benefits and education, long-term care and quality of life in the three Idaho State Veterans Homes, and dignified interment at the Idaho Veterans Cemetery.

Ms. Mackenthun responded to a variety of questions from committee members concerning suicide prevention measures; cost impact of a bill currently before the Legislature, which relates to provisions for parents who have lost a child while on active duty; and the Silver Medallion memento program, proceeds from which go to the maintenance of the Idaho Veterans Cemetery. Ms. Mackenthun will provide committee members with follow-up information.

Chairman Block thanked **Ms. Mackenthun** for her report and expressed special thanks on behalf of the committee for the service of all U. S. Veterans.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:15 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, February 01, 2012

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO. 59-0106-1101	Retirement Rules Update	Joanna Guilfooy, PERSI
DOCKET NO. 59-0106-1102	Contribution Rates to Unused Sick Leave	Joanna Guilfooy, PERSI
Presentation	Idaho Business Council Update	Jared Bauer and Jenni Herberg

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 01, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative Loertscher

GUESTS: Joanna Guilfooy, Deputy Attorney General, PERSI; Ed Hawley, Administrative Rules Specialist; Jared Bauer and Jenni Herberg, Idaho Business Council.

Chairman Block called the meeting to order at 1:32 p.m.

MOTION: **Representative Ringo** made a motion to approve the meeting minutes of January 25, 2012. **Motion carried by voice vote.**

DOCKET NO. 59-0106-1101: **Ms. Joanna Guilfooy**, PERSI, presented **Docket No. 59-0106-1101**, which updates rule 163 to adopt new contingent annuitant factors for members who retire on or after July 1, 2011.

A thorough question-and-answer period developed relative to the annuity factor changes, which **Ms. Guilfooy** said have been designed and recommended by the actuary. Ms. Guilfooy explained that the change in annuity factors would produce minimal impact to the fund. At the request of committee members, Ms. Guilfooy will provide comments from the actuary as to expected impact to the fund.

MOTION: **Representative Lake** made a motion to approve **Docket No. 59-0106-1101**. **Motion carried by voice vote.**

DOCKET NO. 59-0106-1102: **Ms. Joanna Guilfooy**, PERSI, presented **Docket No. 59-0106-1102**, which cancels a scheduled increase in contribution rates to the unused sick leave fund by public schools and to maintain at current rates.

Representative Hartgen requested data from the actuary as to the impact of liability in connection with the cancellation. **Ms. Guilfooy** will provide the information.

MOTION: **Representative Simpson** moved to approve **Docket No. 59-0106-1102**. **Motion carried by voice vote.**

Mr. Jared Bauer and **Ms. Jenni Herberg**, Idaho Business Council, presented information on the mission of the Idaho Business Council, which is to research, identify and propose concrete data that will provide solutions for increasing jobs and median salaries, and developing innovation and growth throughout the state of Idaho, in coordination with the universities, business sector, and the Legislature. The Council plans to work with the House Business Committee on a prospective bill to further this goal, whereby legislators would appoint two individuals from their respective districts to work with the Council in collecting viable data from their communities. The data would be presented to the Legislature December 31, 2012.

Mr. Bauer described Utah's model for creating jobs and industry growth, based on that state's unique assets, and said that Idaho could utilize the same approach. **Representative Trail** expressed interest in the idea, and Mr. Bauer volunteered to meet with interested committee members to review details of the concept.

Committee members raised questions concerning the Council's funding source, possible political and psychological barriers of a legislative bill rather than a "think-tank approach," checks and balances, ties with other organizations, and plans for the future.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:44 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AMENDED #1 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Tuesday, February 07, 2012

SUBJECT	DESCRIPTION	PRESENTER
	Department of Welfare Overview	Richard Armstrong, Director, DHW
	Budget Introduction	Matt Ellsworth
	<u>Budget Presentations</u>	
	Department of Health and Welfare (DHW) Division of Welfare	Russ Barron, DHW
	Department of Health and Welfare (DHW), Child Welfare and Protection	Rob Luce, DHW
	Committee Budget Discussion	Chairman Block

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, February 07, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative(s) Lake, Trail, Simpson

GUESTS: Richard Armstrong, Russ Barron, Robert Luce, Marilyn Sword, Luann Dettman, Anne Chatfield, Cameron Gilliland, Lori Wolff, Greg Kunz, and Paul J. Spannknebel, Department of Health & Welfare; Heidi Low, American Cancer Society Cancer Action Network (ACS CAN); Marty Durand, Child Protection Services; Dustin Hurst, Idaho Reporter.com; Sara Stover and Tammy Perkins, Idaho Division of Financial Management; Matt Ellsworth, Legislative Services Office.

Chairman Block called the meeting to order at 1:40 p.m.

Mr. Richard Armstrong, Director, Idaho Department of Health & Welfare, presented an overview on the 2013 Division of Welfare appropriations request, which is \$2.4 million. This amount does not include child support funding. He reported the Division has 11% fewer employees than in 2007. He also reviewed increased food stamp applications and reevaluations, growth of case workload, upgrade of the eligibility system and improved automated processes.

A question-and-answer period ensued relative to performance measures, case-load increases, solutions to food stamp fraud, and funding authorization.

Mr. Matt Ellsworth, Legislative Services Office, presented a general outline of the budgeting process for 2012, and reviewed specific items from the Legislative Budget Book, which is organized by Decision Units: Child Support Loss of Fed Match, Medicaid Readiness, Temporary Assistance for Needy Families (TANF) MOE (Maintenance of Effort), Energy Assistance Spending Authority, and Special Needs Assistance Programs (SNAP) Multiple Day Issuance. The appropriations request is up by 11.1%, versus the Governor's recommendation, up by 10.0%.

Committee members posed questions for **Mr. Ellsworth** and **Ms. Sara Stover**, from the Financial Management Office, who was available to respond to technical questions on the Governor's recommendations.

Mr. Russ Barron, Administrator of the Division of Welfare, presented the Budget Breakdown, which covered Workforce Effectiveness, Medicaid Readiness, and Federal Requirements, and the Governor's respective recommendations.

(1) Child Support Loss of Fed Match: \$1,695,800. *Governor's recommendation, \$1,695,800.*

(2) Medicaid Readiness: Agency \$400,000, federal \$3,600,000, Total \$4,000,000 *Governor's recommendation \$4,000,000.*

(3) TANF MOE: Agency request \$951,100. *Governor's recommendation \$951,100.*

(4) Energy Assistance Spending Authority: Agency Request -0- Dedicated \$812,400, federal \$5,827,400, Total \$6,639,800. *Governor's recommendation \$6,639,800.*

(5) SNAP Multiple Day Issuance: Agency request -0-, Dedicated \$100,000, federal \$450,000, Total \$550,000. *Governor's recommendation \$550,000.*

A thorough question-and-answer period covered topics on the above programs.

Mr. Rob Luce, Administrator for the Division of Family and Community Services, presented the Division's 2013 appropriations request, which is 2.3% less than the prior year's request.

Mr. Luce updated the committee on the child protection and foster care and adoption programs and discussed the impact of "aging out" of the foster care system, which refers to individuals who reach the age of 18 and are no longer supported by foster care but are still not developed enough to be on their own. He also discussed the One-Church-One-Child Initiative, the Scholarship and Trust Account Initiative, and the Division's high employee turnover rate due to job stress.

Committee members asked questions about case load numbers and high employee turnover.

Mr. Matt Ellsworth illustrated the use of an Excel score card to organize and allocate committee members' budgeting preferences. Mr. Ellsworth will provide the spreadsheet in digital form and requested that committee members return the completed form via email.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:53 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Thursday, February 09, 2012

SUBJECT	DESCRIPTION	PRESENTER
<u>RS21159</u>	Relating to Temporary Assistance for Needy Families (TANF) program	Rep. Perry
<u>RS21213</u>	To create a deadline for corporate officers to opt out of unemployment insurance program	Bob Fick, Dept. of Labor
	<u>BUDGET PRESENTATIONS</u>	
	Legislative Services Office Introduction	Keith Bybee, LSO
	Department of Commerce	
	Idaho Department of Labor	Bob Fick, Director
	Division of Human Resources	Vicki Tokita, Administrator
	Public Employees Retirement System of Idaho (PERSI)	Jim Monroe, Chief Financial Officer
	Idaho Industrial Commission (IIC)	Jane McClaran, Fiscal Officer

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 09, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative Loertscher

GUESTS: Jim Monroe, PERSI; Vicki Tokita, Kathy Osborn, Kim Toryanski, Idaho Department of Human Resources; Rosie Andueza and Ori Garcia, Department of Health & Welfare; Christine Tiddens, Catholic Charities; Dustin Hurst, Idaho Reporter.com; Wayne Hammon, Shelby Kerns and David Fullerson, Department of Financial Management; Tammy Perkins, Governor's Office; Keith Bybee, Legislative Services Office; Bob Fick, Department of Labor; Cindy Hedge, Idaho AFL-CIO; Jane McClaran and Tom Limbaugh, Idaho Industrial Commission.

Chairman Block called the meeting to order at 1:31 p.m.

MOTION: **Representative Lake** made a motion to approve the minutes of January 31, 2012. **Motion carried by voice vote.**

MOTION: **Representative Lake** made a motion to approve the minutes of February 1, 2012. **Motion carried by voice vote.**

RS 21159: **Representative Perry** presented **RS 21159**, which pertains to the Temporary Assistance for Needy Families (TANF) program. This money is issued as a monthly cash allowance and is generally distributed via public assistance benefit cards. TANF is designed to be a supplement to low income families for necessary or urgent needs. Currently, there are no restrictions as to how the public assistance benefit cards or cash obtained with public assistance benefit cards can be used. This legislation seeks to prohibit the use of public assistance benefit cards or the cash obtained with public assistance benefit cards, from being expended for inappropriate purchases or venues.

Representative Hartgen asked if current legislation can prohibit use of these cards or cash allowances at Indian casinos. **Representative Perry** will investigate and provide a definitive answer. When asked if the Department of Health & Welfare is able to check where the cards are used, Representative Perry answered in the affirmative.

MOTION: **Representative Marriott** made a motion to introduce **RS 21159**. **Motion carried by voice vote.**

Mr. Keith Bybee, Legislative Budget Analyst, presented a summary of Department of Commerce budget requests and Governor's recommendations. For FY 2013, the total Agency request is \$39,250,700 versus the Governor's recommendation of \$39,976,000.

Mr. Bybee responded to committee members' questions on personnel costs and the IGEM program, which will utilize an existing position to coordinate and monitor grants to bridge the funding gap between the development of a technology at an Idaho university and its commercialization in the marketplace.

RS 21213: **Mr. Bob Fick**, Communications Manager, Department of Labor, presented **RS 21213**, which creates a July 31, 2012 deadline for corporate officers to opt out of the unemployment insurance program. It also creates a procedure for corporate officers of newly established businesses in Idaho to opt out of the unemployment insurance program from the time they begin operating in Idaho and at least the two calendar years following that date.

Committee members asked about reasons for missing the deadline, the tax pros and cons of opting out of the program, dissemination of relevant information to eligible businesses, and number of people taking advantage of the program last year (approximately 8,000).

MOTION: **Representative Thayn** made a motion to introduce **RS 21213**. **Motion carried by voice vote.**

Mr. Bob Fick, Communications Manager, Department of Labor, presented the Agency's budget request for FY 2013. Total Agency request is \$5,084,000. The Governor's recommendation is \$6,112,000.

Ms. Vicki Tokita, Administrator, Department of Human Resources, presented the Agency's budget request for FY 2013, the total of which is \$1,746,700, versus the Governor's recommendation of \$1,663,000.

Mr. Jim Monroe, Chief Financial Officer, PERSI, presented the Agency's budget request for FY 2013, the total of which is \$13,493,900. The Governor's recommendation totals \$13,376,900. The Agency has no line item appropriations requests for 2013.

Committee members asked questions regarding the number of active, inactive, and retired members, as well as contribution rates. The PERSI Board voted to postpone rate increases, which are now scheduled to begin on July 1, 2013.

Ms. Jane McClaran, Idaho Industrial Commission, reviewed the Agency's budget request for FY 2013, the total of which is \$14,618,300. The Governor's recommendation totals the same amount, \$14,618,300. The one line item of \$337,900 is a request for additional appropriations in dedicated funds for personnel costs. She stated the commission's compensation ratio of 81% is among the lowest in the state. Request by division is: Compensation - \$91,300; Rehabilitation - \$99,800; Crime Victims - \$33,200; Adjudication - \$113,600. The total increase is 4.4% above the base.

Ms. McClaran responded to questions and comments by committee members on base adjustment decreases, workforce reduction, and workload increase.

Mr. Keith Bybee, Legislative Service Analyst, gave committee members an explanation on the use of a digitized score card spreadsheet, which will be forwarded to them via email, and asked that the form be completed digitally and returned to him by close of business, Friday, February 10, or at the latest by Monday morning, February 13.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:00 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

**AMENDED #2 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Monday, February 13, 2012**

SUBJECT	DESCRIPTION	PRESENTER
IGEM	Transforms the Idaho Innovation Council at Department of Commerce to the Idaho Global Entrepreneurial Mission (IGEM) Council and provides definition for grant distribution	Jeff Sayer, Director, Department of Commerce
RS21158	Concurrent resolution rejecting a rules paragraph relating to Rules Governing Group Insurance	Chairman Block
	Idaho Department of Commerce Presentation	Jeff Sayer, Director
	Idaho Department of Commerce, Division of International Business (Damien Bard, Administrator)	Eddie Yen, State of Idaho, Asia Trade Office Manager, Taipei, Taiwan
		Armando Orellana, State of Idaho, Mexico Trade Office Manager, Guadalajara, Mexico
		Xu Fang, State of Idaho, China Trade Office Manager, Shanghai, China
	Discussion/Voting on Budgets: Commerce, Human Resources, Labor, PERSI, and Idaho Industrial Commission	Chairman Block

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

Jeanne Clayton
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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, February 13, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:**

GUESTS: Ed Hawley, Administrative Rules; Bob Fick, Department of Labor; Jim Monroe and Ray Polzin, PERSI; Tracie Bent and Marilyn Whitney, State Board of Education; Vicki Tokita and Kim Toryanski, Department of Human Resources; Donna Yule, Idaho Public Education Association; Roger Brown, Deputy Chief of Staff, Governor Otter's Office; Mona Greenlee, Risch Pisca; Mike Reynoldson, Micron; Jay Larsen, Idaho Technology Council; Keith Bybee, Legislative Services Office; Jeff Sayer, Christy Newbold, Megan Ronk, Idaho Department of Commerce; Damien Bard, Eddie Yen, Xu Fang, Armando Orellana, International Division, Idaho Department of Commerce

Chairman Block called the meeting to order at 1:30 p.m.

RS 21267: **Mr. Jeff Sayer**, Director, Idaho Department of Commerce, presented **RS 21267**, which transforms the Idaho Innovation Council at the Department of Commerce to the Idaho Global Entrepreneurial Mission (IGEM) Council and provides definition and accountability for membership and grant distribution. The legislation corresponds with a budgetary line item recommended by the Governor for the IGEM Grant Fund at the Department of Commerce totaling \$1 million. IGEM related items for ongoing support for the Center for Advanced Energy Studies (CASE) totals \$2 million, and grants to be distributed by the Higher Education Research Council total \$2 million, although these items are not tied to the adoption of this legislation.

Mr. Sayer thanked **Mr. Roger Brown**, Deputy Chief of Staff, Governor's office, who worked with the Department of Commerce to formalize this legislation, which is closely modeled after similar programs in Utah and Colorado.

In response to questions from the committee, **Mr. Brown** presented information about the Utah model, which is 10 years old and only now beginning to yield results. **Mr. Brown** emphasized this program would provide results over the long-term.

Representative Lake questioned the language on line 27 (iii).

ORIGINAL MOTION: **Representative Simpson** made a motion to introduce **RS 21267**. **Motion carried by voice vote.**

Chairman Block turned over the gavel to **Vice Chairman Hartgen** in order to present **RS 21158**.

RS 21158: **Chairman Block** presented **RS 21158**, which is a concurrent resolution to reject a paragraph in a pending rule of the Department of Administration relative to Rules Governing Group Insurance, which is not consistent with legislative intent. The effect of this concurrent resolution would be to prevent the paragraph from going into effect.

In answer to a question, **Chairman Block** stated the rule change relates to the date that group insurance could be received and corresponds with a change made in the Senate.

MOTION: **Representative Ringo** made a motion to introduce **RS 21158**. **Motion carried by voice vote.**

Vice Chairman Hartgen turned over the gavel to **Chairman Block**.

Mr. Jeff Sayer, Director, Department of Commerce, presented a summary of the Department's International Division, which focuses on creating new jobs, helping new and existing business in the State, and promoting tourism.

Mr. Damien Bard, Administrator, International Business Development, Department of Commerce, introduced **Mr. Xu Fang**, China Trade Office Manager for Idaho. Mr. Fang gave an overview on China's trade, upcoming events, and Project 60, the purpose of which is to increase exports and attract international investment capital to Idaho.

Mr. Bard introduced **Mr. Armando Orellana**, Mexico Trade Office Manager for Idaho, who gave detailed information on Mexico's inflation and exchange rates, security concerns, tourism, education intern and mentoring programs with Idaho universities, the dehydrated apples export program, and upcoming trade shows. The total amount of exports from Mexico to Idaho in 2010-11 was reported to be considerably higher than in 2008.

Mr. Bard introduced **Mr. Eddie Yen**, Asia Trade Office Manager from Taiwan, who presented an overview of Taiwan (population of that country is 23.1 million, 50th in the world); U.S. exports (\$25.76 billion); Idaho exports were about \$320 million in 2011. Mr. Yen spoke of Project 60, which focuses on investor recruitment, increasing trade show participation, tourism and agriculture promotions. Mr. Yen also covered new export successes and new opportunities for Idaho exports. In response to the committee's request, Mr. Yen will provide more information on the EB-5 Immigrant Investment Promotion.

RECONSIDERATION RS 21267: **Representative Lake** reported that he spoke with the authors of **RS 21267**, relating to the Global Entrepreneurial Mission Grant Funds (IGEM), which the committee voted earlier in the meeting to introduce. Representative Lake said the authors agreed that line 27 (iii) should be changed by deleting the words "business" and "the" to clarify the intent of the sentence.

SUBSTITUTE MOTION: **Representative Lake** made a substitute motion to introduce **RS 21267** with the following change on line 27 (iii): delete the words "business" and "the", so the line reads as follows: "The house and senate commerce and human resource committees; and...". **Motion carried by voice vote.**

BUDGET: **Mr. Keith Bybee**, Legislative Services Office, presented a budget spreadsheet for Commerce, Labor, Human Resources, and the Industrial Commission, which is a compilation of the committee members' ranking preferences.

ORIGINAL MOTION: **Representative Lake** made a motion to accept the Governor's recommendations for all of the departments: Commerce, Labor, Human Resources and the Industrial Commission.

Representative Hartgen argued against the appropriations request by the Industrial Commission for salary increases. His rationale was JFAC budget constraints. A brief question-and-answer period ensued.

SUBSTITUTE MOTION: **Representative Hartgen** made a substitute motion to accept the Governor's recommendations with the exception of the salary increase for the Industrial Commission.

ROLL CALL VOTE ON SUBSTITUTE MOTION: Chairman Block called for a roll call vote. **The motion carried with a vote of 6 AYE and 5 NAY. Reps. Hartgen, Marriott, Thayn, Simpson, Loertscher, and Chairman Block voting in favor of the motion; Reps. Lake, Trail, Nasset, Ringo, and King voting in opposition to the motion.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:20 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M.
Room EW05
Wednesday, February 15, 2012

SUBJECT	DESCRIPTION	PRESENTER
Budget	Health and Welfare Budget Discussion and Voting	Chairman Block

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 15, 2012

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative(s) Lake, Simpson, Loertscher

GUESTS: Russ Barron, Rob Luce, Dave Taylor, Jodi Osborn, Drew Hall, and Lori Wolff, Department of Health & Welfare; Sara Stover, Department of Financial Management; Matt Ellsworth, Legislative Services Office; Dustin Hurst, Idaho Reports.com

Mr. Matt Ellsworth, Legislative Services Office, updated the committee on the approved Health & Welfare budget requests that were heard in JFAC today. He reviewed this committee's compiled Health & Welfare budget scores based on the five responding committee members' preferences.

A question-and-answer period followed. Responses were provided by Mr. Matt Ellsworth, Legislative Services; Mr. Russ Barron, Department of Health & Welfare; and Ms. Sara Stover, Department of Financial Management.

ORIGINAL MOTION: **Representative Ringo** made a motion to recommend Priority No. 1 for Medicaid Readiness, HC Reform, in the amount of the Governor's recommendation of \$400,000 from the General Fund.

SUBSTITUTE MOTION: **Representative Thayn** made a motion to recommend the **FY 2012** budget priorities as: Priority No. 1 - Medicaid Readiness, with the remaining five items to be of equal importance in accordance with the Governor's recommendation.

WITHDRAWAL OF MOTION: After a full discussion, **Representative Ringo** withdrew her original motion, and the substitute motion became the main motion.

VOTE ON MOTION: **Motion carried by voice vote.**

MOTION: **Representative Ringo** made a motion to recommend the **FY 2013** budget priorities as follows: No. 1 - Medicaid Readiness, No. 2 - SNAP Multiple Day Issuance, with the remaining items to be voted on individually. **Motion carried by voice vote.**

MOTION: **Representative Hartgen** made a motion to approve the budget for the three remaining items according to the Governor's recommendation. Discussion ensued on the foster care program.

SUBSTITUTE MOTION: **Representative Thayn** made a substitute motion to prioritize the **FY 2013** items as follows: No. 1, Medicaid Readiness; No. 2: SNAP Multiple Day Issuance; and No. 3: Increased Foster Care Payments.

In response to questions about increased foster care payments, **Ms. Sara Stover**, Department of Financial Management, stated that line items not funded initially are categorized as they go through the budget process, which could move the foster care program to the recommended items. **Representative Hartgen** suggested that the committee stay with the original motion, giving the three remaining items equal priority, and that the foster care program be voted on separately. **Representative Thayn** suggested giving increased foster care payments third priority, if funds allow.

**AMENDED
SUBSTITUTE
MOTION:**

Representative Thayn made an amended substitute motion to prioritize the **FY 2013** budget items as follows: No. 1 - Medicaid Readiness, No. 2 - SNAP Multiple Day Issuance, and No. 3 - Increased Foster Care payments, if funds are available. The remaining three items would be given equal importance. **Motion carried by voice vote.**

Budget recommendations are:

FY 2012: Medicaid Readiness to be Priority No. 1 and the remaining items to be of equal importance.

FY 2013: Priority No. 1 - Medicaid Readiness, Priority No. 2 - SNAP Multiple Day Issuance, Priority No. 3 (if funds are available) - Increased Foster Care Payments, and the remaining line items are not recommended.

Chairman Block asked **Alex Baca**, House Page to speak about his interests and plans for the future, after which he was presented with a gift in appreciation for his work on the committee.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:30 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AGENDA AMENDED #1
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 P.M. or Upon Adjournment
Room EW05
Tuesday, February 21, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 546	Relating to the Idaho Global Entrepreneurial Mission (IGEM)	Jeff Sayer, Idaho Department of Commerce
H 522	Relating to Temporary Assistance for Needy Families (TANF) public assistance benefit cards	Rep. Perry

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, February 21, 2012

TIME: 1:30 p.m. or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative Loertscher

GUESTS: Mike Rush, State Board of Education; Orie Garcia, Rosie Andueza, and Russ Barron, Department of Health & Welfare; Tracie Bent and Marilyn Whitney, State Board of Education; Janine Rush-Byers, Mike Reynoldson and Dee Mooney, Micron; Briane LeClaire, Idaho Freedom Foundation; Ray Stark, Boise Metro Chamber of Commerce; Joe Stegner, University of Idaho; Tab Roder, TW Telecom; Jay Larsen and Doug Jones, Idaho Technical College; Jayson Ronk, Idaho Association of Commerce and Industry; Bruno Bennett, University of Idaho; Jeff Sayer and Megan Ronk, Department of Commerce; Rich Raimondi, Hewlett Packard; Amy Johnson, Boise State University; Kent Kunz, Idaho State University; John Eaton, Idaho Association of Realtors; Max Greenlee, Risch Pisca; Pam Eaton, Idaho Retailers Association

Chairman Block called the meeting to order at 2:55 p.m.

MOTION: **Representative Ringo** made a motion to approve the minutes of February 13, 2012. **Motion carried by voice vote.**

MOTION: **Representative Ringo** made a motion to approve the minutes of February 15, 2012. **Motion carried by voice vote.**

H 546: **Mr. Jeff Sayer**, Director of Commerce, presented **H 546**, which amends Sections 67-4725 and 67-4726 to transform the Idaho Innovation Council at the Department of Commerce to the Idaho Global Entrepreneurial Mission (IGEM) Council, to provide definition and accountability for membership and grant distribution of funds to foster research technology. **H 546** also adds new sections defining the responsibilities and focus of the IGEM Council and the distribution of commercialization of revenue generated by IGEM research efforts.

Mr. Sayer reviewed in detail the priorities of IGEM and commended the combined efforts of the Governor's Office, the State Board of Education, the three major Idaho universities, and individuals from industry in bringing the program to fruition. A balanced IGEM Council will be created to advise the Department of Commerce, State Board of Education, state colleges and universities, and other state, local federal, and private sector agencies on innovation interests and potentials. An annual report will be made to the Governor, the Joint Finance-Appropriations Committee, the House and Senate Commerce and Human Resource Committee, and the office of the State Board of Education.

A thorough question-and-answer period ensued. Lack of details in **H 546** was questioned, and **Mr. Sayer** stressed that IGEM is only in the beginning stages. The Council has been given the responsibility to study the next steps and make recommendations.

Testimony was heard from **Mike Rush**, State Board of Education, **Mike Reynoldson**, Micron; **Joe Stegner**, University of Idaho; **Tab Roder**, TW Telecom; **Jayson Ronk**, IACI; **Jay Larsen** and **Doug Jones**, Idaho Technical College; **Rich Raimondi**, Hewlett-Packard; **Amy Johnson**, Boise State University; **John Eaton**, Idaho Association of Realtors; and **Kent Kunz**, Idaho State University, all of whom testified **in support** of **H 546**. **Briane LeClaire**, Idaho Freedom Foundation, testified **in opposition** to **H 546** because of the belief that the money would be better used for the private sector to spend as it deems fit.

MOTION: **Representative Lake** made a motion to send **H 546** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Representative Lake** will sponsor the bill on the floor.

H 522: **Representative Perry** presented **H 522**, which specifies that monetary benefits received by recipients from the Temporary Assistance for Needy Families (TANF) program be limited to certain purchases and activities. TANF is designed to be a supplement to low income families for necessary or urgent needs. Currently, there are no restrictions as to how the public assistance benefit cards or cash obtained can be used. **H 522** seeks to prohibit the use of this assistance for inappropriate purchase or venues. An amendment to **H 522** was also presented, which excludes these restrictions for the "aged, blind or disabled," because the Social Security Administration deems restriction to be unconstitutional for this group of individuals.

Questions from the committee were posed for **Representative Perry** and **Mr. Russ Barron**, Department of Health and Welfare, with respect to restricted venues, appropriate items to be purchased, education of recipients, and methods of monitoring and correcting abuses. Of particular interest was how to limit alcohol purchases in contract liquor stores that are housed in some grocery stores.

Ms. Pam Eaton, Idaho Retailers Association, testified as to the Association's concern with respect to how these restrictions would affect grocery stores that offer liquor in contract liquor stores. She agreed to work with **Representative Perry** to develop an amendment to **H 522**, addressing these concerns.

MOTION: **Representative Simpson** made a motion to send **H 522** to General Orders. **Representative Thayn** seconded the motion. **Motion carried by voice vote.** **Representative Perry** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:50 p.m.

Representative Block
Chair

Jeanne Clayton
Secretary

AMENDED #1 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 pm or Upon Adjournment
Room EW05
Thursday, February 23, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 523	Creates a deadline for corporate officers to opt out of the unemployment insurance program	Rep. Shepherd
HCR 40	Rejecting the Governor's recommendations for employee compensation and giving a 2% merit-based pay raise	Rep. Hartgen
HCR 41	Rejecting the Governor's recommendations for 3% compensation increase and leaving state employee compensation at current levels	Rep. Hartgen

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nasset
Rep Ringo
Rep King

COMMITTEE SECRETARY

Jeanne Clayton
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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 23, 2012

TIME: 1:30 p.m. or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Block, Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative Thayn

GUESTS: Rhonda Ledford, state employee; Donna Yule, Idaho Public Employees Association; Bob Fick, Department of Labor; Tony Smith, Benton Ellis; Alex Neiworth and Daniel Wolf, Idaho Association of Government Employees

Chairman Block called the meeting to order at 2:50 p.m.

MOTION: **Representative Lake** made a motion to approve the minutes of February 21, 2012. **Motion carried by voice vote.**

H 523: **Mr. Bob Fick**, Idaho Department of Labor, presented **H 523**, which creates a July 31, 2012 deadline for corporate officers to opt out of the unemployment insurance program. It also creates a procedure for corporate officers of newly established businesses in Idaho to opt out of the unemployment insurance program from the time they begin operating in Idaho and at least the two calendar years following that date. The July 31, 2012 deadline for corporate officers of existing businesses to opt out of the unemployment insurance program is being established to assist those corporate officers who failed to meet the original deadline of December 15, 2011. Corporate officers who opt out before the July 31, 2012 deadline will be out of the system for all of 2012 and through at least 2013. In cases where the unemployment insurance tax has already been paid on the corporate officer's wages, an amended return can be filed to recover that payment. The bill will take effect upon the Governor's signature.

Committee members asked questions about corporate officers' ability to file amended returns and implications of "calendar years" versus "fiscal years."

MOTION: **Representative Marriott** made a motion to send **H 523** to General Orders with an amendment on line 20, page 2 that adds the word "calendar" between the words "consecutive" and "years". **Representative Lake** seconded the motion. **Motion carried by voice vote.** **Representative Shepherd** will sponsor the bill on the floor.

MOTION: **Representative Hartgen** made a motion to **HOLD HCR 41** in committee. **Motion carried by voice vote.**

HCR 40: **Representative Hartgen** presented **HCR 40**, which sets the Change of Employee Compensation (CEC) at 2% merit-based ongoing change for all classified and non-classified permanent employees and rejects the Governor's recommendations for employee compensation of a one-time 3% change upon certain conditions. Representative Hartgen said the reason the bill is before the committee is to determine three key issues: (1) whether the change is to be an across-the-board or merit-based change; (2) whether the change is a one-time or an ongoing change; and (3) whether the change is to be a dollar or a percentage amount.

There was a general discussion by the committee pertaining to all aspects of the bill, including fiscal impact, eligible employees, parity of merit-based increases, and policy (one-time versus long-term change).

Testimony was heard from **Rhonda Ledford**, state employee; **Donna Yule**, Executive Director of the Idaho Public Employees Association; and **Alex Niewirth**, Idaho Association of Government Employees, who testified in **opposition** to **HCR 40**. They were of the general opinion that (1) *all* state employees deserve a raise and (2) merit-based raises are not always equitable.

- MOTION:** **Representative Lake** made a motion to send **HCR 40** to General Orders with the amendment to conform to the recommendation of the JFAC Committee.
- SUBSTITUTE MOTION:** **Representative Simpson** made a substitute motion to send **HCR 40** to the floor with a **DO PASS** recommendation.
- WITHDRAWAL OF SUBSTITUTE MOTION:** After further discussion, **Representative Simpson** withdrew the substitute motion.
- ORIGINAL AMENDED MOTION:** **Representative Lake** made an amendment to his original motion to send **HCR 40** to General Orders with the following amendment: On line 21, the words "merit-based" be deleted, and on line 23, the word "performing" be inserted before the word "employees." **Representative King** seconded the motion. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 4:30 p.m.

Representative Hartgen
Vice Chairman

Jeanne Clayton
Secretary

AMENDED #1 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 PM or Upon Adjournment
Room EW05
Wednesday, February 29, 2012

SUBJECT	DESCRIPTION	PRESENTER
S 1277	Dietetic Licensure Board Compensation	Nancy Kerr, Board of Medicine
S 1278	Athletic Trainers, Compensation	Nancy Kerr, Board of Medicine

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

COMMITTEE SECRETARY

Jeanne Clayton
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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, February 29, 2012

TIME: 1:30 PM or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Block (Block), Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Reps. Trail, Simpson, Loertscher

GUESTS: **Nancy Kerr**, Idaho Board of Medicine

Vice Chairman Hartgen called the meeting to order at 2:40 p.m.

HCR 35: **Vice Chairman Hartgen** advised the committee that **HCR 35**, which rejects a paragraph in a pending rule of the Department of Administration relating to Rules Governing Group Insurance, will be held in committee to allow an identical Senate bill to complete the legislative process.

S 1277: **Nancy Kerr**, Idaho Department of Medicine, presented **S 1277**, which removes members of the Dietetic Licensure Board from the Public Employee Retirement System. The change means that the Dietetic Licensure Board will not be required to participate in PERSI and will allow members to avoid any possible tax implications, since membership in a qualified plan such as PERSI limits participation in a personal IRA. Ms. Kerr reported there has been no opposition to **S 1277**.

MOTION: **Representative Thayn** made a motion to send **S 1277** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** Representative Thayn will sponsor the bill on the floor.

S 1278: **Nancy Kerr**, Idaho Department of Medicine, presented **S 1278**, which removes members of the Board of Athletic Trainers from the Public Employee Retirement System (PERSI). The change means that the Board of Athletic Trainers will not be required to participate in PERSI and will allow members to avoid any possible tax implications, since membership in a qualified plan such as PERSI limits participation in a personal IRA. Ms. Kerr reported there has been no opposition to **S 1278**.

MOTION: **Representative Thayn** made a motion to send **S 1278** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** Representative Thayn will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:48 p.m.

Representative Hartgen
Vice Chair

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 p.m. or Upon Adjournment
Room EW05
Thursday, March 01, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 573	Relating to Health Savings Accounts for State employees enrolled in high-deductible health plans	Rep. Thayn

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block(Block)
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

COMMITTEE SECRETARY

Jeanne Clayton
Room: EW49
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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, March 01, 2012

TIME: 1:30 p.m. or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Block (Block), Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nasset, Ringo, King

ABSENT/EXCUSED: Chairman Block, Representative Loertscher

GUESTS: Representative Nonini, self; Alex LaBeau, Idaho Association of Commerce and Industry; Donna Yule, Idaho Public Employees Association; Alex Neiworth, Idaho Association of Government Employees; Julie Taylor, Blue Cross of Idaho.

Vice Chairman Hartgen called the meeting to order at 2:30 p.m.

MOTION: **Representative Thayn** made a motion to approve the minutes of February 23, 2012. **Motion carried by voice vote.**

H 573: **Representative Luker** began the presentation of **H 573**, which relates to facilitating and funding Health Savings Accounts (HSAs) for employees of the State of Idaho who are enrolled in a high-deductible health plan. It is the intention of the legislation that by encouraging state employees to create a health savings account, they will be empowered to make sound, responsible decisions about healthy living and better manage their own medical care. The plan would be voluntary, state employees could shop for any high-deductible policy they want, and the state would put the cost differential into a health savings account for the employee.

Representative Thayn presented data on how these plans perform relative to participation, funding, and financial sustainability. He stressed that **H 573** is not a comprehensive plan, but that it is meant to get the process started.

Representative Nonini, speaking as a private citizen and financial consultant with insurance expertise, spoke in favor of high-deductible health plans and illustrated the variety of ways such plans are utilized.

Alex La Beau, Idaho Association of Commerce and Industry, testified **in support** of **H 573**, expressing the belief that a high deductible plan would help curtail the accelerating costs of health care.

Donna Yule, Idaho Public Employees Association and **Alex Neiworth**, Idaho Association of Government Employees, testified **in opposition** to **H 573**, expressing the opinion that health savings accounts: (1) could be good for healthy individuals but not for older individuals who have more medical problems; (2) could drive costs upward rather than downward, and (3) questioned the legality of seeking health insurance outside the state group plan.

Committee members posed a variety of questions to the presenters and testifiers relating to transparency, possible change in the pool of insured individuals by shopping elsewhere, product competition, risks of higher rates, and financial technicalities.

Representative Thayn emphasized that if an individual has a high deductible health plan, he or she is more likely to adhere to preventive care, and he reiterated that **H 573** is just to start the discussion toward a comprehensive program.

MOTION: **Representative Simpson** made a motion to send **H 573** to General Orders. **Representative Thayn** seconded the motion.

**SUBSTITUTE
MOTION:**

Representative Ringo made a substitute motion to **HOLD H 573** in committee and create an interim committee for further study over the summer months.

**VOTE ON
SUBSTITUTE
MOTION:**

Vice Chairman Hartgen called for a vote on the substitute motion to **HOLD H 573** in committee. **Motion failed by voice vote.**

**VOTE ON
ORIGINAL
MOTION:**

Vice Chairman Hartgen called for a vote on the original motion to send **H 573** to General Orders, with amendments as follows: On page 1 of the printed bill, delete lines 36 through 40. On page 2, in line 1, delete "(5)" and insert "(4)"; and in line 3, delete "(6)" and insert "(5)". Correction to title: On page 1, in line 6, following "STATE EMPLOYEES" delete ", TO PROVIDE FOR A CHOICE OF HIGH DE-"; and in line 7, delete "DUCTIBLE HEALTH PLANS"... **Motion carried by voice vote.** **Representative Ringo** requested to be recorded as voting **NAY**. **Representatives Thayn** and **Luker** will sponsor the bill on the floor.

Representative Nessel commented that the committee should request a complete overview of the State of Idaho's Total Employee Compensation Program.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 3:55 p.m.

Representative Hartgen
Vice Chairman

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 p.m. or Upon Adjournment
Room EW05
Monday, March 05, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 607	Revising the definition of "employee" and revising provisions relating to those not meeting the definition of "employee."	Rep. Stevenson

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block(Block)
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

COMMITTEE SECRETARY

Jeanne Clayton
Room: EW49
Phone: (208) 332-1149
email: jclayton@house.idaho.gov

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Monday, March 05, 2012

TIME: 1:30 pm or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Block (Block), Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Rep. Loertscher

GUESTS: Rep. Stevenson

Vice Chairman Hartgen called the meeting to order at 3:45 p.m.

MOTION: **Representative Thayn** made a motion to approve the minutes of February 29, 2012. **Motion carried by voice vote.**

MOTION: **Representative Thayn** made a motion to approve the minutes of March 1, 2012. **Motion carried by voice vote.**

H 607: **Representative Stevenson** presented **H 607**, which amends Section 59-1302, Idaho Code, to revise the definition of "employee" and to revise provisions relating to those who do not meet the definition of "employee," including cemetery and mosquito abatement districts' part-time employees, as being exempt from PERSI, and declaring an emergency. **H 607** replaces a previous bill, **H 445**, which also defined the term "employee" as relates to PERSI exemption of part-time employees.

MOTION: **Representative Simpson** made a motion to send **H 607** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Representative Stevenson** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:51 p.m.

Representative Hartgen
Vice Chairman

Jeanne Clayton
Secretary

AMENDED #1 AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 pm or Upon Adjournment
Room EW05
Thursday, March 15, 2012

SUBJECT	DESCRIPTION	PRESENTER
S 1369	Amending State Directory of New Hires Act to add a warning and then penalty for employers failing to report hiring or rehiring of employees.	Bob Fick, Idaho Department of Labor

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block(Block)
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, March 15, 2012

TIME: 1:30 p.m. or Upon Adjournment

PLACE: Room EW05

MEMBERS: Chairman Block (Block), Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative(s) Lake, Simpson, Loertscher

GUESTS: **Bob Fick**, Idaho Department of Labor

Vice Chairman Hartgen called the meeting to order at 2:40 p.m.

MOTION: **Representative Nessel** made a motion to approve the minutes of March 5, 2012.
Motion carried by voice vote.

S 1369: **Bob Fick**, Idaho Department of Labor, presented **S 1369**, which amends the State Directory of New Hires Act to add a warning and then a penalty for employers failing to report to the Department the hiring or rehiring of employees. The State Directory of New Hires Act was enacted to prevent welfare, worker's compensation and unemployment insurance fraud. The imposition of a penalty after a warning on employers who fail to comply with the law will encourage compliance and allow the Department to more quickly identify unemployment insurance fraud that occurs when claimants continue to file for unemployment insurance benefits after returning to work. The penalty is \$25 per failure to file with a maximum of \$2,500 per quarter per employer.

In 2010, the Department of Labor detected 1,776 cases of unemployment insurance benefit fraud where claimants continued to receive benefits after returning to work and the new employer failed to report the new hire to the Department. Since the wage discrepancy was not discovered until the new employer filed its next quarterly unemployment insurance tax report, the Department was unable to stop the payment of benefits at the time of the new hire and claimants fraudulently continued to receive benefits for several months. Mr. Fick said that when times goes by, the amounts paid inappropriately to the individual are greater, and it is then more difficult for the Department to recover the funds.

A question-and-answer period ensued relative to disposition of fine proceeds, methods of disseminating the new regulations, and measures used to discover fraud.

MOTION: **Representative Trail** made a motion to send **S 1639** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Representative Trail** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:53 p.m.

Representative Hartgen
Vice Chairman

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 pm or Upon Adjournment
Room EW05
Monday, March 19, 2012

SUBJECT	DESCRIPTION	PRESENTER
S 1295	To provide a process for licensing massage therapists.	Suzanne Budge, American Massage Therapy Association

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block(Block)
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

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MINUTES

HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

- DATE:** Monday, March 19, 2012
- TIME:** 1:30 p.m. or Upon Adjournment
- PLACE:** Room EW05
- MEMBERS:** Chairman Block (Block), Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King
- ABSENT/
EXCUSED:** Representative Loertscher
- GUESTS:** Suzanne Budge, lobbyist for American Massage Therapist Association (AMTA); Paul Weston, Susan Beck, and Trisha Pennell, Idaho Chapter, AMTA; Crystal Diane Spicer, Holistic Healing Arts Association; Carol Jean Campbell, New Leaf Healing Arts; Briana Anderson, Carrington College; Jami Slaughter, Massage Therapist; Wayne Pennell, Massage Therapist; Hayley Lowry, Breathe Easy Therapeutic Massage; Debra Mulnick, RN, Holistic Nurse; Justin Solace and Caty Solace, Broadview University/Hybrid Health; Suzie Lindberg, Well Beings Massage; Linda Chatburn, Myofascial Release Center; Max Greenlee, Risch Pisca; Ryan Fitzgerald, Idaho Association of Chiropractic Physicians
- Vice Chairman Hartgen** called the meeting to order at 2:40 p.m.
- MOTION:** **Representative Thayn** made a motion to approve the minutes of March 15, 2012.
Motion carried by voice vote.
- S 1295:** **Suzanne Budge**, representing AMTA, presented **S 1369**, which adds a new chapter to Idaho Code Title 54 to provide a process for licensing massage therapists. Massage therapy has become an accepted part of conventional medicine to assist patients working to improve their health or recovering from an injury or medical procedure. Currently, individuals may advertise themselves as massage therapists regardless of their level of training or lack thereof. Requiring a license of professional and trained massage therapists will help ensure that citizens seeking this form of therapy will receive appropriate care.
- Ms. Budge** reviewed **S 1295** in detail, including definitions, exemptions, prohibitions, establishment of a board, powers and duties of the board, fees, and requirements for licensure. Ms. Budge said that licensing massage therapists is presently required by 43 other states, including the states contiguous to Idaho, except for Wyoming. The language in **S 1295** was drawn from similar licensing policies by the Idaho Bureau of Occupational Licenses and is broadly supported by that Bureau and two national associations.
- Paul Weston**, Government Relations Chair, AMTA, spoke in support of **S 1295** and emphasized that the legislation will create much needed uniform standards. **Trisha Pennell** and **Susan Beck**, American Massage Therapy Association, Idaho Chapter; **Jami Slaughter** and **Hayley Lowry**, independent massage therapists; **Debra Mulnick**, self-employed holistic nurse; **Justin Solace**, Broadview University/Hybrid Health; **Suzie Lindberg**, Well Beings Massage; and **Linda Chatburn**, Myofascial Release Center, also testified in support of **S 1295**, their rationale being the need to establish guidelines and oversight to protect the customer, standardize fees, and separate the more unsavory elements from the professionals. It was generally felt that most consumers mistakenly assume therapeutic massage specialists are currently licensed.

Crystal Spicer, independent therapeutic massage therapist, testified **in opposition** to **S 1295**, which she feels is unnecessary since many hours of education are already required in Idaho. She said that a better alternative to state licensing would be national certification.

A thorough question-and-answer period ensued relative to fees, advertising, board establishment and makeup, consumer complaints, reciprocity by other states, and language description.

MOTION: **Representative King** made a motion to send **S 1295** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Representatives Simpson** and **Thayn** requested that they be recorded as voting **NAY**. **Representative Marriott** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:10 p.m.

Representative Hartgen
Vice Chairman

Jeanne Clayton
Secretary

AGENDA
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
1:30 pm or Upon Adjournment
Room EW05
Wednesday, March 21, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 689	Relating to State Department of Health and Welfare issuing SNAP benefits over the course of multiple days in a month	Rep. Perry

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Block(Block)
Vice Chairman Hartgen
Rep Lake
Rep Trail
Rep Marriott
Rep Thayn

Rep Simpson
Rep Loertscher
Rep Nessel
Rep Ringo
Rep King

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MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Wednesday, March 21, 2012

TIME: 1:30 or After Adjournment

PLACE: Room EW05

MEMBERS: Chairman Block (Block), Vice Chairman Hartgen, Representative(s) Lake, Trail, Marriott, Thayn, Simpson, Loertscher, Nessel, Ringo, King

**ABSENT/
EXCUSED:** Representative(s) Lake, Trail, Simpson

GUESTS: Colby Cameron, Sullivan Reberger Eiguren, representing the Northwest Grocers Association (NWGA); Michael Read, WinCo Foods; Russell Barron and Rosie Andueza, Department of Health and Welfare; Tammy Perkins, Governor's Office

Vice Chairman Hartgen called the meeting to order at 4:45 p.m.

MOTION: **Representative Thayn** made a motion to approve the minutes of March 19, 2012. **Motion carried by voice vote.**

H 689: **Representative Perry** presented **H 689**, which relates to the issuance by the Department of Health and Welfare Supplemental Nutrition Assistance Program (SNAP) benefits on the first day of each calendar month. This legislation gives statutory authority to the Director of the Department, at his discretion, to distribute such benefits over the course of multiple days each month. Representative Perry said that the Director of the Department currently has authority to distribute these benefits at his discretion; however, the Governor has requested that full transparency be made through the legislative process.

Implementation costs for multi-day issuance of food stamps would be a total of \$440,000 for the first 12 months. This amount includes costs related to automation changes, operational costs, additional staff to manage phone calls and office visits, and other expenses. It is expected to take 120 days to implement this change from the date funding is acquired.

Colby Cameron, Sullivan Reberger Eiguren, representing NWGA, and **Michael Read**, WinCo Foods, testified **in support** of **H 689**, emphasizing the difficulties grocers face in accommodating the heavy concentration of food stamp recipients the first day of the month.

Russ Barron, Department of Health and Welfare, answered questions concerning ongoing maintenance costs, startup time schedule, dissemination of the date change to food stamp recipients, and overall protocol.

MOTION: **Representative Thayn** made a motion to send **H 689** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Representative Perry** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 5:08 p.m.

Representative Hartgen
Vice Chairman

Jeanne Clayton
Secretary